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ATTORNEY'S DOCKET NUMBER: 0079571-0073 (BU0064)

#17

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jarrell, et al.
Serial Number: 09/910,354
Filed: July 20, 2001
For: MODULAR VECTOR SYSTEMS

Examiner: Bui, Phuong T
Art Unit: 1638

Assistant Commissioner For Patents
Washington, DC 20231

Sir:

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TRANSMITTAL LETTER

Enclosed are the following documents:

1. Form PTO-1449 (2 pages);
2. Supplemental Information Disclosure Statement (4 pages);
3. Cited Art (19 references);
4. Return Postcard

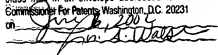
If any additional fees are required to be paid or if any overpayment has been made, please charge same to Deposit Account No. 03-1721.

Respectfully submitted,


Brenda Herschbach Jarrell, Ph.D.
Registration Number: 39,223

Choate, Hall & Stewart
Exchange Place
53 State Street
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(617) 248-5000
Dated: 6/6/2002

3405765

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231
on 



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Filed: July 20, 2001
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ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

Sir:

STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants request consideration of this Supplemental Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

(Select A, B or C below)

A. ☒ This Supplemental Information Disclosure Statement has been filed

(check 1, 2 and/or 3 below)

1. ☐ within three months of the filing date of the above identified U.S. Patent application.
2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application.
3. ☒ before the mailing date of the first Office Action on the merits in the above-identified application.

No fee or certification is required.

B. ☐ This Supplemental Information Disclosure Statement has been filed more than three months after the filing date of the present application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311.

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(check 1 or 2 below)

1. ☐ The fee of \$180 as set forth in 37 C.F.R. §1.17(p) is enclosed.
2. ☐ The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that

(check a or b below)

- a. ☐ each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.
- b. ☐ no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.
- c. ☐ items indicated by an asterisk were identified in a recent review of related files.

C. ☐ This Supplemental Information Disclosure Statement has been filed after the mailing date of either a Final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311 and before payment of an Issue Fee.

(check a or b below)

1. The Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that:
 - a. ☐ each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application not more than three months prior to the filing of this Statement.

- b. ☐ no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.

PART II - Information Cited

☒ A. Applicants hereby make of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

☐ B. The Applicants hereby make the following additional information of record in the above-identified application:

☐ PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

The following are remarks concerning the other information cited:

PART IV: Remarks

A copy of each of the above-identified U.S. and foreign patent(s) and publication(s) is enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;

2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and

3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

By submitting this Supplemental Information Disclosure Statement, Applicants make no representation that a search has been performed, of the extent of any search performed, or that more material information may not exist.

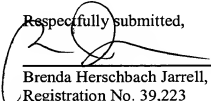
By submitting this Supplemental Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Supplemental Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.


Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

An early and favorable action is hereby requested.

Respectfully submitted,


Brenda Herschbach Jarrell, Ph.D.
Registration No. 39,223

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Exchange Place
53 State Street
Boston, Massachusetts 02109
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Dated: 6/18/2002
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on 

Form PTO-1449
(REV. 8-83)

U.S. Department of Commerce
Patent and Trademark Office

At Docket:
0079571-0073
(BU0064)

In re Application No.
09/910,354

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT**

(Use several sheets if necessary)

Applicant: Jarrell, et al.

Filing Date:
July 20, 2001

Group:

U.S. PATENT DOCUMENTS

Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass
	6,297,007	Waters et al.	October 2, 2001	435	6
	6,027,894	Sapolsky et al.	February 22, 2000	435	6
	5,976,862	Kauffman et al.	November 2, 1999	435	252.3
	5,824,514	Kauffman et al.	October 20, 1998	435	91.1
	5,817,483	Kauffman et al.	October 6, 1998	435	69.1
	5,814,476	Kauffman et al.	September 29, 1998	435	69.1
	5,723,323	Kauffman et al.	March 3, 1998	435	172.3

U.S. PATENT APPLICATIONS

Examiner's Initials:	Serial Number:	Applicant:	Filing Date:	Group:	Art Unit:

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Document No.	Country	Date	Translation
				Yes
	EP 1 002 860	Europe	24 May 2000	
	WO 02/24736	PCT	28 March 2002	
	WO 01/59126	PCT	16 August 2001	
	WO 01/38489	PCT	31 May 2001	
	WO 01/32845	PCT	10 May 2001	
	WO 01/18253	PCT	15 March 2001	
	WO 00/42195	PCT	20 July 2000	
	WO 00/40704	PCT	13 July 2000	
	WO 00/12687	PCT	09 March 2000	
	WO 98/53097	PCT	26 November 1998	
	WO 98/36097	PCT	20 August 1998	
	WO 86/05803	PCT	09 October 1986	

OTHER DOCUMENTS

Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)

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Form PTO-1449 (REV. 8-83)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket: 0079571-0073 (BU0064)	In re Application No. 09/910,354
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant: Jarrell, et al.	
		Filing Date: July 20, 2001	Group:
EXAMINER	DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.			

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